

**BOIES SCHILLER FLEXNER LLP**

David Boies (admitted *pro hac vice*)  
333 Main Street  
Armonk, NY 10504  
Tel: (914) 749-8200  
dboies@bsfllp.com

Mark C. Mao, CA Bar No. 236165  
Beko Reblitz-Richardson, CA Bar No. 238027  
Erika Nyborg-Burch, CA Bar No. 342125  
44 Montgomery St., 41st Floor  
San Francisco, CA 94104  
Tel.: (415) 293-6800  
mmao@bsfllp.com  
brichardson@bsfllp.com  
enyborg-burch@bsfllp.com

James Lee (admitted *pro hac vice*)  
Rossana Baeza (admitted *pro hac vice*)  
100 SE 2nd St., 28th Floor  
Miami, FL 33131  
Tel.: (305) 539-8400  
jlee@bsfllp.com  
rbaeza@bsfllp.com

Alison L. Anderson, CA Bar No. 275334  
725 S Figueroa St., 31st Floor  
Los Angeles, CA 90017  
Tel.: (213) 995-5720  
alanderson@bsfllp.com

**SUSMAN GODFREY L.L.P.**

William C. Carmody (admitted *pro hac vice*)  
Shawn J. Rabin (admitted *pro hac vice*)  
Steven M. Shepard (admitted *pro hac vice*)  
Alexander Frawley (admitted *pro hac vice*)  
1301 Avenue of the Americas, 32nd Floor  
New York, NY 10019  
Tel.: (212) 336-8330  
bcarmody@susmangodfrey.com  
srabin@susmangodfrey.com  
sshepard@susmangodfrey.com  
afrawley@susmangodfrey.com

Amanda K. Bonn, CA Bar No. 270891  
1900 Avenue of the Stars, Suite 1400  
Los Angeles, CA 90067  
Tel.: (310) 789-3100  
abonn@susmangodfrey.com

**MORGAN & MORGAN**

John A. Yanchunis (admitted *pro hac vice*)  
Ryan J. McGee (admitted *pro hac vice*)  
201 N. Franklin Street, 7th Floor  
Tampa, FL 33602  
Tel.: (813) 223-5505  
jyanchunis@forthepeople.com  
rmcgee@forthepeople.com

Michael F. Ram, CA Bar No. 104805  
711 Van Ness Ave, Suite 500  
San Francisco, CA 94102  
Tel: (415) 358-6913  
mram@forthepeople.com

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

CHASOM BROWN, WILLIAM BYATT,  
JEREMY DAVIS, CHRISTOPHER  
CASTILLO, and MONIQUE TRUJILLO  
individually and on behalf of all similarly  
situated,

Plaintiffs,

vs.

GOOGLE LLC,

Defendant.

Case No.: 4:20-cv-03664-YGR-SVK

**DECLARATION OF JAMES LEE IN  
SUPPORT OF PLAINTIFFS' RESPONSE  
TO GOOGLE'S MOTION TO EXCLUDE  
OPINIONS OF PLAINTIFFS' DAMAGES  
EXPERT MICHAEL J. LASINSKI**

The Honorable Yvonne Gonzalez Rogers

**DECLARATION OF JAMES W. LEE**

I, James W. Lee, declare as follows:

1. I am a partner with the law firm of Boies Schiller Flexner LLP, counsel for Plaintiffs in this matter. I am an attorney at law duly licensed to practice before all courts of the State of Florida. I have personal knowledge of the matters set forth herein and am competent to testify.

2. I submit this Declaration in support of Plaintiffs' Response to Google's Motion to Exclude Opinions of Plaintiffs' Damages Expert Michael J. Lasinski.

3. Attached hereto as **Exhibit 1** are true and accurate excerpts from the transcript of the June 30, 2022 deposition of Google employee Sabine Borsay.

4. Attached hereto as **Exhibit 2** is a true and accurate copy of an August 21, 2018, Washington Post article titled "*Don't want Google tracking you? You have almost no choice, according to a study,*" authored by Hayley Tsukayama, available at <https://www.washingtonpost.com/technology/2018/08/22/dont-want-google-tracking-you-you-have-almost-no-choice-according-new-study/>.

5. Attached hereto as **Exhibit 3** are true and accurate excerpts from the transcript of the August 16, 2022 deposition of On Amir.

6. Attached hereto as **Exhibit 4** is a true and correct copy of a document Google produced in discovery labeled GOOG-CABR-04324934.

7. Attached hereto as **Exhibit 5** are true and accurate excerpts from the transcript of the March 24, 2022 deposition of Google employee and designated Rule 30(b)(6) witness Troy Walker.

8. Attached hereto as **Exhibit 6** is a true and correct copy of a document Google produced in discovery labeled GOOG-CABR-04820567.

9. Attached hereto as **Exhibit 7** are true and accurate excerpts from the transcript of the March 10, 2022 deposition of Google employee and designated Rule 30(b)(6) witness Sonal Singhal.

13. Attached hereto as **Exhibit 11** are true and accurate excerpts from the transcript of the August 2, 2022 deposition of Steven Weisbrot.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 19th day of August, 2022, at Miami, Florida.

/s/ James W. Lee